

REMARKS

In the non-final Office Action mailed September 17, 2009, the Office noted that claims 18-43 were pending and rejected claims 18-43. Claims 18-20 and 27-43 have been amended, no claims have been canceled, and, thus, in view of the foregoing claims 18-43 remain pending for reconsideration which is requested. No new matter has been added. The Office's rejections and objections are traversed below.

CLAIM OBJECTION

Claims 28, 21, 22, 25, 37 and 40 stand objected to for informalities. In particular, the Office asserts that some claim language is unclear. The Applicants have amended the claims to overcome the objection of the Office. It is respectfully submitted that no new matter is believed to have been added by the amendment of the claims.

Withdrawal of the objections is respectfully requested.

REJECTIONS under 35 U.S.C. § 103

Claims 18-43 stand rejected under 35 U.S.C. § 103(a) as being obvious over Saeki et al., U.S. Patent No. 6,067,400 in view of Hamada, U.S. Patent Publication No. 2002/0135608. The Applicants respectfully disagree and traverse the rejection with an argument and amendment.

Saeki discusses an optical disc comprising a data area for storing at least one object that has sub-picture data and

moving picture data, wherein the data area includes a plurality of small areas, each of which includes a first sub-area and a second sub-area, with the object in the data area being stored over consecutive small areas.

The Applicants have deleted the expression "or effectiveness or ineffectiveness" and "or effectiveness" from the independent claims 18-20 and 27-43 and further amended claims 31, 33, 35, 37 and 40 so as to clarify that "the reproduction device reproduces (i) the play list information, (ii) the object information, (iii) the video information, and (iv) the sub-video information and the sub-video control information. Additionally, the Applicants have amended claims 18, 27, 29, 31, 33, 35, 37 and 39 to 43 so as to clarify that "the second stream has sub-video information and sub-video control information." The Applicants submit that no new matter is believed to have been added by the amendment of the claims.

On page 3 of the Office Action, it is asserted that Saeki, col. 14, lines 1-15; col. 19, lines 43-56; col. 15, lines 21-34 and 41-51; Fig. 14; col. 20, lines 26-30; col. 14 lines 33-50 disclose "a computer readable information recording medium on which [...] and (ii) information to indicate presence or absence, or effectiveness or ineffectiveness of the control information element."

However, the Applicants respectfully disagree. Saeki does not disclose the novel feature of claims 18 to 43 such as

"information to indicate presence or absence of the control information element," as in amended claim 18.

In the second Office Action dated April 1, 2009, on page 2, the Office stated "[a]s clearly shown at least in Fig. 14 and at column 14, lines 33-44, information on colors when the button is selected or activated is disclosed. The 'selected-determined flag' is also disclosed. At least the 'selected-determined flag' can indicate the effectiveness or ineffectiveness of the control information elements such as 'selected color information' and 'activated color information' because the 'selected-determined flag' is used to determine whether the button is in a selected state or activated state (column 15, lines 35-37) so that the corresponding color information can be used to display the button correctly (column 14, lines 33-50). Specifically, if the flag indicates it is a selected state, the 'selected color information' is effective. Otherwise, the information is ineffectiveness. Likewise, if the flag indicates it is in activated state, 'activated color information' is effective. Otherwise, the information is ineffective."

Thus, according to the comments of the Office, Saeki merely discloses the control information such as "the selected color information or the activated color information" and the flag such as "the selected-determined flag". However, the flag such as "the selected-determined flag" disclosed in Saeki does

not indicate the presence or the absence of the control information such as "the selected color information or the activated color information."

Further, the Office does not asserts and the Applicants have not found, that Hamada or the combination of Saeki and Hamada discloses such a feature

Claims 26-31, 33, 35, 37 and 39-42 have likewise been amended. For at least the reasons discussed above, claims 18, 27, 29, 31, 33, 35, 37 and 39-42 and the claims dependent therefrom are not anticipated by Saeki.

Withdrawal of the rejection is respectfully requested.

SUMMARY

It is submitted that the claims satisfy the requirements of 35 U.S.C. § 103. It is also submitted that claims 18-43 continue to be allowable. It is further submitted that the claims are not taught, disclosed or suggested by the prior art. The claims are therefore in a condition suitable for allowance. An early Notice of Allowance is requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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